

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MUSTAFA YOUSIF AL BAYATI,

Plaintiff,

v.

UR MENDOZA JADDOU, et al.,

Defendants.

No. 2:23-cv-00688-DAD-SCR (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 5)

Plaintiff Mustafa Yousif Al Bayati, proceeding *pro se*, initiated this civil action on April 13, 2023. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 19, 2024, the then-assigned magistrate judge issued findings and recommendations recommending that the complaint be dismissed in its entirety due to plaintiff's failure to prosecute this action and failure to comply with a court order. (Doc. No. 9 at 3.) Specifically, the magistrate judge found that no defendant had appeared in this action and plaintiff had failed to respond to an order requiring him to show cause in writing why the case should not be dismissed due to his failure to effect service within the time provided by Rule 4 of the Federal Rules of Civil Procedure. (*Id.* at 2; Doc. No. 8.) The pending findings and recommendations were served upon plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days of the date of service. (Doc. No. 9 at 3.) To date, plaintiff has not filed any

1 objections to those findings and recommendations and the time in which to do so has passed.

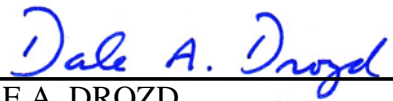
2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a
3 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
4 pending findings and recommendations are supported by the record and proper analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on April 19, 2024 (Doc. No. 9) are
7 adopted in full;
8 2. The operative complaint (Doc. No. 1) is dismissed, without prejudice; and
9 3. The Clerk of the Court is directed to close this case.

10 IT IS SO ORDERED.

11 Dated: January 14, 2025

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13 DALE A. DROZD
14 UNITED STATES DISTRICT JUDGE
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